

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

A LIMITED LIABILITY PARTNERSHIP
INCLUDING LAW CORPORATIONS

INTELLECTUAL PROPERTY LAW

OTHER OFFICES

TELEPHONE (408) 720-8300

60 SOUTH MARKET STREET, SUITE 510
SAN JOSE, CALIFORNIA 95113

FACSIMILE (408) 720-8397

BSTZ MAIL @BSTZ.COM
WWW.BSTZ.COM

AUSTIN, TX
LOS ANGELES, CA
ORANGE COUNTY / COSTA MESA, CA
SAN DIEGO / LA JOLLA, CA
PORTLAND / LAKE OSWEGO, OR
SEATTLE / KIRKLAND, WA
DENVER / ENGLEWOOD, CO

FACSIMILE TRANSMITTAL SHEET

Deliver to: EXAMINER: J.A. MERCADO [ART GROUP: 1745]

Firm Name: U.S. PATENT AND TRADEMARK OFFICE (GROUP ART UNIT 1745)

Fax Number: ~~800-822-8344~~ (703) 305 3599 Telephone No.: _____

From: STEVEN LAUT, ESQ. Reg. No. 47,736

Date: March 26, 2002 Time: 4:00 P.M.

BSTZ Matter: 003364.P039 Number of pages including cover sheet: _____

In Re Patent Application of: SHEEM, ET AL.

Application No.: 09/512,394

Filed: February 24, 2000

TITLE: NEGATIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM BATTERY AND METHOD OF PREPARING SAME

Enclosed are the following documents:

<input checked="" type="checkbox"/> XX Amendment/Response (7 pgs)	<input type="checkbox"/> Declaration & PofA (__ pgs)	<input type="checkbox"/> Reply Brief (__ pgs)
<input type="checkbox"/> Appeal Brief (__ pgs) (in triplicate)	<input checked="" type="checkbox"/> XX Drawings: 1 # of sheets w/ 1 figs.	<input type="checkbox"/> Small Entry Statement
<input type="checkbox"/> Utility Application (__ pgs)	<input type="checkbox"/> () Month Petition re Ext. of Time	<input type="checkbox"/> Resp. to Notice of Missing Parts (__ pgs)
<input type="checkbox"/> 1.53(b) Cont. Application (__ pgs)	<input type="checkbox"/> IDS & PTO 1449 (__ pgs)	<input checked="" type="checkbox"/> XX Transmittal Letter (1 pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) Divisional Application (__ pgs)	<input type="checkbox"/> Issue Fee Transmittal (__ pgs)	<input checked="" type="checkbox"/> XX Fee Transmittal (1 pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) CIP Application (__ pgs)	<input type="checkbox"/> Notice of Appeal (__ pgs)	<input checked="" type="checkbox"/> XX Deposit Account Authorization
<input type="checkbox"/> 1.53(d) CPA Transmittal (__ pgs)	<input type="checkbox"/> Petition re _____ (__ pgs)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> PCT Application (__ pgs)	<input type="checkbox"/> Power of Attorney (__ pgs)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Provisional Application (__ pgs)	<input type="checkbox"/> Declaration by Inventor(s) (__ pgs)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Assignment & Cover Sheet (__ pgs)	<input type="checkbox"/> Supplemental Declaration (__ pgs)	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> XX Certificate of Transmission by Fax	<input type="checkbox"/> Preliminary Amendment (__ pgs)	<input type="checkbox"/> Other: _____

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission MARCH 26, 2002

LINDA D'ELIA

(Typed or printed name of person transmitting paper)

(Signature of person transmitting paper)

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.

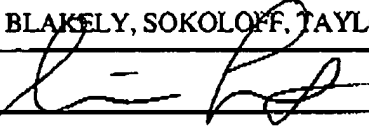
PTO/SI/21(08/00)


Approved for use through 12/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/512,394
		Filing Date	February 24, 2000
		First Named Inventor	Sheem, et al.
		Group Art Unit	1745
		Examiner Name	J.A. MERCADO
Total Number of Pages in This Submission	11	Attorney Docket Number	3364P039

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> FACSIMILE COVER SHEET TO PTO </div>
Remarks Drawing FIGURE 4 (1 SHEET)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Steven Laut, Reg. No. 47,736 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	March 26, 2002

CERTIFICATE OF MAILING (OR TRANSMISSION)			
I hereby certify that this correspondence is being transmitted via facsimile under 37 CFR §1.8 on:			March 26, 2002
Typed or printed name	Linda D'Elia		
Signature		Date	03/26/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SI/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/512,394
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	02/24/00
		First Named Inventor	Sheem, et al
		Examiner Name	J.A. MERCADO
		Group Art Unit	1745
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket Number	3364P039

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																			
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEE																																																																																																																																																																																			
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman		<table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or cost</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920</td> <td>112</td> <td>920</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840</td> <td>113</td> <td>1,840</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for response within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for response within second month</td> <td></td> </tr> <tr> <td>117</td> <td>820</td> <td>217</td> <td>480</td> <td>Extension for response within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for response within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for response within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidably</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentionally</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>480</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or cost		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920	112	920	Requesting publication of SIR prior to Examiner action		113	1,840	113	1,840	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for response within first month		116	400	216	200	Extension for response within second month		117	820	217	480	Extension for response within third month		118	1,440	218	720	Extension for response within fourth month		128	1,960	228	980	Extension for response within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidably		141	1,280	241	640	Petition to revive - unintentionally		142	1,280	242	640	Utility issue fee (or reissue)		143	480	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																		
105	130	205	65	Surcharge - late filing fee or cost																																																																																																																																																																																	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																	
139	130	139	130	Non-English specification																																																																																																																																																																																	
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																	
112	920	112	920	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action																																																																																																																																																																																	
115	110	215	55	Extension for response within first month																																																																																																																																																																																	
116	400	216	200	Extension for response within second month																																																																																																																																																																																	
117	820	217	480	Extension for response within third month																																																																																																																																																																																	
118	1,440	218	720	Extension for response within fourth month																																																																																																																																																																																	
128	1,960	228	980	Extension for response within fifth month																																																																																																																																																																																	
119	320	219	160	Notice of Appeal																																																																																																																																																																																	
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																	
121	280	221	140	Request for oral hearing																																																																																																																																																																																	
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																	
140	110	240	55	Petition to revive - unavoidably																																																																																																																																																																																	
141	1,280	241	640	Petition to revive - unintentionally																																																																																																																																																																																	
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																	
143	480	243	230	Design issue fee																																																																																																																																																																																	
144	620	244	310	Plant issue fee																																																																																																																																																																																	
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																	
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																	
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																	
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																	
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																	
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																	
FEE CALCULATION		Other fee (specify) _____																																																																																																																																																																																			
1. FILING FEE		SUBTOTAL (3) (\$)																																																																																																																																																																																			
<table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>330</td> <td>206</td> <td>165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>510</td> <td>207</td> <td>255</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	740	201	370	Utility filing fee		108	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1) (\$)																																																																																																																																											
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																		
101	740	201	370	Utility filing fee																																																																																																																																																																																	
108	330	206	165	Design filing fee																																																																																																																																																																																	
107	510	207	255	Plant filing fee																																																																																																																																																																																	
108	740	208	370	Reissue filing fee																																																																																																																																																																																	
114	160	214	80	Provisional filing fee																																																																																																																																																																																	
2. CLAIMS		SUBTOTAL (2) (\$)																																																																																																																																																																																			
<table border="1"> <thead> <tr> <th colspan="2">Total Claims</th> <th colspan="2">Extra</th> <th colspan="2">Fee from below</th> <th colspan="2">Fee Paid</th> </tr> <tr> <th>Independent</th> <th>Claims</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>16</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Total Claims		Extra		Fee from below		Fee Paid		Independent	Claims							16								3								Multiple Dependent Claims <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td>Multiple Dependent claim</td> <td></td> </tr> <tr> <td>109</td> <td>84</td> <td>209</td> <td>42</td> <td>Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple Dependent claim		109	84	209	42	Reissue independent claims over original patent		110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																											
Total Claims		Extra		Fee from below		Fee Paid																																																																																																																																																																															
Independent	Claims																																																																																																																																																																																				
16																																																																																																																																																																																					
3																																																																																																																																																																																					
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																		
103	18	203	9	Claims in excess of 20																																																																																																																																																																																	
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																	
104	280	204	140	Multiple Dependent claim																																																																																																																																																																																	
109	84	209	42	Reissue independent claims over original patent																																																																																																																																																																																	
110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																	

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Steven Lawt, Reg. No. 47,736	Registration No. (Attorney/Agent)	Telephone (310) 207-3800
Signature		Date	03/26/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.